

REMARKS

Claims 1-30 were presented for examination. Claims 1-22 have been canceled without prejudice and disclaimer of subject matter recited therein.

Election/Restriction Requirement

A restriction under 35 USC §121 and §372 has been placed in the present application. Applicants elect to prosecute Group III containing claims 23-30 in the present application.

Objections to the Drawing

Drawings are objected for certain informalities. The drawings have been corrected and the replacement sheets have been submitted herewith.

Rejections under 35 USC §102(a)

Claims 23-25 and 27-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Anders Nystrom et al. (hereinafter “Nystrom”) U.S. Patent 6,189,123. Applicants respectfully traverse these rejections.

To anticipate a claim, the reference must teach each and every element of the claim. *See* MPEP §2131. Nystrom does not teach each and every element of claim 23.

As to claim 23, Nystrom does not teach a transmission arrangement configured transmit each reproduced symbol or FEC block using a distinct transmission channel as recited in claim 23. In contrast, Nystrom discloses selectively transmitting symbols on a single channel after encoding an input signal (*see* figures 1 and 3). In figure 1, Nystrom discloses that after encoding symbols are modulated using a modulator 28. Further, in figure 3, Nystrom discloses that the channel encoder 26 selectively transmits symbols using the selector 67. Furthermore, in the cited sections, Nystrom describes the characteristic of a transmission channel; however, Nystrom does not disclose that each symbol is transmitted using a distinct transmission channel as recited in claim 23.

Furthermore, Nystrom does not disclose that the decoder 38 uses soft-combining of signals received from outputs of the transmission arrangement and to output an estimate of the symbol of FEC block. The Examiner has not provided any specific citation in Nystrom that describes that the decoder 38 uses soft-combining of received signals. In the cited sections, Nystrom describes the function of the decoder 38, which does not mention soft-combining of received signals as recited in claim 23. Thus, Nystrom does not teach each and every element of claim 23 as required for a rejection under 35 USC §102(e). Accordingly, claim 23 is clearly and patentably distinguishable from Nysdrom.

Claim 24 depends from claim 23 and is patentably distinguishable form Nystrom for at least the same reasons as claim 23. Further, as to claim 24, citing col. 12, lines 10-12, the Examiner has stated that “the soft combining includes selective combining, as the decoders alternately decode first and second received versions of the block of symbols, respectively.” Applicants would like to respectfully point to the Examiner that to anticipate a claim, the cited reference must teach each and every element of the claim (*see* MPEP §2131). Claim 24 recites various soft-combining techniques, for which, the Examiner has not cited any reference in Nystrom. Accordingly, Nystrom does not teach each and every element of claim 24 and claim 24 is patentably distinguishable from Nystrom.

Claim 25 depends from claim 23 and is patentably distinguishable form Nystrom for at least the same reasons as claim 23. Further, as to claim 25, the Examiner has stated that Nystrom “state that redundant transmission of additional transmission sets can be performed as necessary (col. 7, lines 63-67).” Applicants respectfully would like to point to the Examiner that claim 25 recites how the transmission channels are used. In the cited sections, Nystrom does not describe how the transmission channels are used. In contrast, claim 25 recites that one of the transmission channels is used to transmit an original message and the remaining transmission channels are used to perform retransmission. Nystrom does not teach this limitation. Accordingly, claim 25 is further patentably distinguishable form Nystrom.

Claim 27 has been rejected in the manner of claim 23, therefore, claim 27 and those depend therefrom are patentably distinguishable form Nystrom for at least the same reasons as claim 23 and those that depend from claim 23.

Rejections under 35 USC §103(a)

Claims 26 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anders Nystrom et al. in view of Alamouti et al. U.S. Patent 6,185,258. Applicants respectfully traverse these rejections.

Claims 26 and 30 depend from claims 23 and 27 respectively and are patentably distinguishable from Nystrom for at least the same reasons as their respective independent claims. Therefore, the combination of Nystrom and Alamouti et al. cannot render claims 26 and 30 obvious.

Further, in the cited sections, Alamouti et al. describes transmission pattern of a signal over two antennas and does not describe that signals are represented using a plurality of bits and that a delay-encoded mapping scheme is used to transmit the symbols. In fact, in the cited sections, Alamouti et al. describes how a sequence of signal is transmitted over two antennas. Furthermore, no motivation is shown in either of the references to combine their disclosures. Alamouti et al. is directed towards transmission of symbols over multiple antennas where Nystrom transmits symbols using the same channel 16. To combine these references, Nystrom has to be modified to include a combiner to combine signals received via multiple antennas as shown in Alamouti et al., which will change the principal of operation of Nystrom. "The proposed modification cannot change the principal of operation of a reference." *See* M.P.E.P § 2143.01. Accordingly, first, the teaching of the references cannot be combined and second, Alamouti et al. does not even describe the subject matter of claims 26 and 30. Therefore, claims 26 and 30 are further patentably distinguishable from the combination of the cited references.

Applicant believes this application and the claims herein to be in a condition for allowance. Should the Examiner have further inquiry concerning these matters, please contact the below named attorney for Applicant.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Abdul Zindani', with a stylized flourish at the end.

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